

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 2:20-cr-16-KS-MTP-003

THOMAS TOMMY WILBURN SHOEMAKER

ORDER

THIS CAUSE IS BEFORE THE COURT on Motion to Reconsider Sentence [109] filed by Thomas Tommy Wilburn Shoemaker (Movant). The Government has responded [113] and Movant has replied.[120].

The Court has considered the Motion and other pleadings, reread the Presentence Investigation Report of Movant, and finds as follows:

That the Court has considered the seriousness of Movant's crime and the serious health issues that he has, and has also considered the prior cases that were involved in the large number of pharmaceutical fraud cases arising out of Hattiesburg and the Mississippi Gulf Coast, and finds that there is no unjustified disparity in the sentencings of the various defendants. Each tub must sit on its own bottom and there are no two cases exactly alike. The Court has taken the facts of the individual cases into consideration and sentenced accordingly. The Court is fully aware of the extensive and honorable service that Movant made serving his country, both in peace time and war time. The Court noted this and the significant injuries and health issues that he continues to face. Cases are not all apples to apples and each defendant and the actions of same are unique

to that person. The Court also took into consideration the mitigating factors relevant to Movant and significantly reduced the guideline range sentence.

For the reasons above described and the oral statements made at the sentencing hearing that are incorporated by reference, the Court finds that the Motion should be, and is, hereby DENIED.

SO ORDERED this the 7th day of January, 2022.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE